

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

ANTONIO MARTINEZ,

Plaintiff,

V.

JAY JONES, et. al.,

Defendants.

Civil Action No. 3:06-cv-00480-MEF-VPM

**DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE THEIR
SPECIAL REPORT AND ANSWER**

COME NOW Sheriff Jay Jones, Major Cary Torbert, and Dr. John McFarland, Defendants in the above-styled cause, and move this Court to grant them an extension of time of 28 days in which to file in which to file their Special Report and Answer which are currently due on July 11, 2006, and July 12, 2006 (respectively). As grounds for this Motion, the Defendants state as follows:

1. On June 1, 2006, this Court ordered the Defendants to file their Special Report within 40 days of the date of the Order, which would be July 11, 2006. The Defendants were served with the Complaint and Order for Special Report on June 2, 2006, making their Answer due July 12, 2006.

2. Defendants are in need of additional time in order to fully investigate the Plaintiff's claims and provide the Court with a meaningful Special Report.

3. Defendants have not previously filed a request for an extension of time to file their Special Report and Answer.

4. The Plaintiff will not be prejudiced by this extension.

WHEREFORE Defendants Sheriff Jay Jones, Major Cary Torbert, Jr., and Dr. John McFarland request this Court to grant them an extension of time to file their Special Report and Answer on or before August 8, 2006.

Respectfully submitted this 28th day of June, 2006.

s/Amanda Kay Morgan
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CERTIFICATE OF SERVICE

I hereby certify that on this the 28th day of June, 2006, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

Antonio Martinez
Lee County Detention Center
PO Box 2407
Opelika, AL 36801

s/Amanda Kay Morgan
OF COUNSEL